IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE A.K.BASHEER

TUESDAY, THE 29TH MAY 2007 / 8TH JYAISHTA 1929

WP(C).No. 16143 of 2007(V)

PETITIONER:

LINCY JOHN.V., P.D.TEACHER,
GOVERNMENT J B S, CHERP, THRISSUR.

BY ADV. SRI.G.SREEKUMAR (CHELUR)
SRI.K.RAVI (PARIYARATH)

RESPONDENTS:

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1. THE SECRETARY TO THE GOVERNMENT,
GENERAL EDUCATION, GOVERNMENT OF KERALA,
THIRUVANANTHAPURAM.

2. THE DEPUTY DIRECTOR OF EDUCATION,
THRISSUR.

BY GOVT.PLEADER SRI.A.J.VARGHESE

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON 29/05/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

A.K. Basheer, J.

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W.P(C) No.16143 of 2007-V

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Dated this the 29th day of May, 2007.

J U D G M E N T

In view of the limited prayer made by the learned counsel for the petitioner at the Bar, I do not deem it necessary to deal with the contention raised by the petitioner that the Government was not justified in imposing certain conditions while granting her leave without allowances for pursuing higher studies as per Rule 91 Part I KSR and G.O (P).169/96/Fin. dated 5/2/1996. Learned counsel submits that petitioner has preferred Ext.P3 representation highlighting all the relevant aspects and also pointing out that in the case of another similarly situated teacher, the Government had taken a different stand. Learned Government Pleader submits that if Ext.P3 has been preferred as contended by the petitioner, an appropriate decision thereon will be taken without any delay.

2. In the above facts and circumstances the writ petition is disposed of with a direction to respondent No.1 to consider and pass orders on Ext.P3 petition strictly on its merit and in accordance with law as expeditiously as possible, at any rate within 4 months from the date of receipt of a copy of this judgment. Respondent No.1 shall ensure that petitioner is afforded sufficient opportunity to be heard before any decision is taken on Ext.P3.

Petitioner shall produce a certified copy of the judgment along with a copy of the writ petition before respondent No.1 for compliance.

A.K. Basheer

an. **Judge.**